

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**CECELIA HALL,**

**Plaintiff,**

**CIVIL ACTION NO. 09-CV-12678**

**vs.**

**DISTRICT JUDGE JOHN CORBETT O'MEARA**

**HOME DEPOT, INC.,**

**MAGISTRATE JUDGE MONA K. MAJZOUN**

**Defendant.**

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**ORDER GRANTING DEFENDANT'S MOTION TO COMPEL (DOCKET NO. 10)**

This matter comes before the Court on Defendant's Motion to Compel Answers to First Set of Interrogatories and First Request for Production of Documents filed October 2, 2009. (Docket no. 10). Plaintiff filed an untimely response (docket no. 13) and failed to file a Joint Statement as ordered by this Court. (Docket no. 12). Defendant filed a Reply Brief. (Docket no. 14). The Defendant filed a Statement of Resolved and Unresolved Issues. (Docket no. 15). The motion has been referred to the undersigned for decision pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 11). The Court dispenses with oral argument on the motion pursuant to E.D. Mich. LR 7.1(e). The matter is now ready for ruling.

Plaintiff filed this employment discrimination action alleging a violation of the Michigan Elliot-Larsen's Civil Rights Act, M.C.L. § 37.2010, *et seq.*, claiming damages for lost remuneration, past and future, emotional distress, and exemplary damages. (Docket no. 1). The Defendant served its First Set of Requests for Production of Documents on July 8, 2009. (Docket no. 10). Plaintiff responded to the Requests for Production of Documents on November 13, 2009. (Docket no. 15). The Defendant shows that the Plaintiff has not served responses or objections to the Defendant's

First Set of Interrogatories which were served on July 8, 2009. (Docket no. 15). The time for responding has expired. *See* Fed. R. Civ. P. 33. Accordingly, the Court will grant Defendant's Motion to Compel and order Plaintiff to respond without objections.

**IT IS THEREFORE ORDERED** that Defendant's Motion to Compel (docket no. 10) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff will respond fully and completely without objections to Defendant's First Set of Interrogatories on or before November 23, 2009.

**IT IS FURTHER ORDERED** that the hearing scheduled for Monday, November 23, 2009 is cancelled.

#### **NOTICE TO PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: November 19, 2009

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

#### **PROOF OF SERVICE**

I hereby certify that a copy of this Opinion and Order was served upon Counsel of Record on this date.

Dated: November 19, 2009

s/ Lisa C. Bartlett  
Case Manager